

Connecticut Criminal Defense Lawyers Association

P.O. Box 1766

Waterbury, Connecticut 06721

CCDLA.com

Testimony of Attorney Ioannis A. Kaloidis
Connecticut Criminal Defense Lawyers Association
Raised Bill No. 473 – *An Act Concerning a Petition for Release from the
Requirement to Register as a Sexual Offender for Life*
Judiciary Public Hearing – March 23, 2016

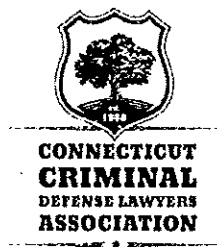
The Connecticut Criminal Defense Lawyers Associations is a not-for-profit organization of more than three hundred lawyers who are dedicated to defending persons accused of criminal offenses. Founded in 1988, CCDLA is the only statewide criminal defense lawyers' organization in Connecticut. An affiliate of the National Association of Criminal Defense Lawyers, CCDLA works to improve the criminal justice system by insuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

CCDLA supports having a procedure in place which will allow individuals to petition to be removed from the sex offender registry. While Raised Bill 473 provides for removal from the registry so long as certain specified criteria are met, CCDLA respectfully requests no action be taken at this time in hopes that more comprehensive reform can be reached in the near future.

As noted in testimony submitted by the Office of the Chief Public Defender, the Sentencing Commission is currently reviewing the sex offender registry statutes in accordance with Public Act No. 15-2, *An Act Concerning a Study of the Sexual Offender Registration System*. The Sentencing Commission has had multiple meetings to date. They have undertaken a very careful and detailed review of current statutes and are in the process of proposing appropriate changes to the existing statutes.

CCDLA supports the recommendation of the Office of the Chief Public Defender that the committee take no action on the proposed legislation until after the Sentencing Commission has completed the work it has been entrusted to do.

For these reasons CCDLA asks that no action be taken on Raised Bill 473.



Connecticut Criminal Defense Lawyers Association

P.O. Box 1766

Waterbury, Connecticut 06721

CCDLA.com

Testimony of Attorney Jennifer Mellon
Connecticut Criminal Defense Lawyers Association
Raised Bill No. 5642 – *An Act Concerning the Recommendations of the
Juvenile Justice Policy Oversight Committee*
Judiciary Public Hearing – March 23, 2016

The Connecticut Criminal Defense Lawyers Association is a not-for-profit organization of more than three hundred lawyers who are dedicated to defending persons accused of criminal offenses. Founded in 1988, CCDLA is the only statewide criminal defense lawyers' organization in Connecticut. An affiliate of the National Association of Criminal Defense Lawyers, CCDLA works to improve the criminal justice system by insuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not diminished.

CCDLA supports the proposed legislation as a significant improvement for children who become involved in the criminal justice system. We highlight the following particularly significant improvements upon the current legal framework:

- Codification of the rehabilitative purpose of the juvenile justice system. Section 7 of the bill would remove language stating that the purpose of the juvenile justice system is to “punish the child,” and state instead that the purpose is to “provide individualized supervision, care, accountability and treatment in a developmentally appropriate manner.” This amendment reflects the growing consensus, both within science and the law, that children are different than adults, and that an effective and just system will reflect that difference. For example, in January of this year, the United States Supreme Court held that children sentenced to automatic life without parole have a constitutional right to have a judge consider whether they should be eligible for parole and emphasized, again, “children’s diminished culpability and heightened capacity for change.” *Montgomery v. Louisiana*, 577 U.S. ____ (2016).
- Limiting incarceration to children who pose a threat to public safety. The bill outlines specific steps to ensure that detention is not overused. Specifically, CCDLA supports planning the closure of the Connecticut Juvenile Training School, circumscribing the circumstances in which detention can be ordered, reducing the time that a child sits in detention between court hearings, and eliminating detention as a punishment for technical violations. Incarceration of children who do not pose a threat to public safety is expensive and counter-rehabilitative.
- The removal of truancy and defiance of school rules as bases for juvenile court involvement. CCDLA supports the bill’s removal from the juvenile justice system of children who do not pose a threat to public safety.

For these reasons CCDLA supported Raised Bill 5642 and respectfully requests that the Committee approve this bill.